



Crl.O.P.No.25438 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.25438 of 2024

and

Crl M.P.No.14268 of 2024

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Petitioner

Vs

1. The State Rep. by
The Inspector of Police,
CCB-1, Team XXVII-A,
Forgery Investigation Wing,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai – 600 007.

2. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai – 600 007.

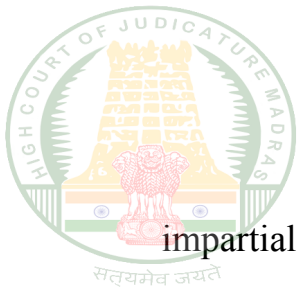
3. The Central Bureau of Investigation,
Rep. by its Joint Director,
Haddows Road,
Chennai – 6.

4. C.S.Padma Chand

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Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation in Crime No.27 of 2024 on the file of the first respondent police to the third respondent for conducting fair and



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impartial investigation and to file a report.

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For Petitioner : Mr.N.Manoharan
For R1 to R3 : Mr.R.Vinothraja
Government Advocate (Crl.Side)
For R4 : Mr.C.P.Sivamohan

ORDER

This Criminal Original Petition has been filed seeking the transfer of the investigation in Crime No.27 of 2024 from the file of the first respondent to the file of the third respondent.

2. The petitioner lodged a complaint and on receipt of the same, the first respondent conducted an enquiry and closed the same. Aggrieved by the same, the petitioner filed Crl.O.P.No.25917 of 2023 and this Court, by an order dated 01.12.2023, directed the first respondent to recall the closure report, register an FIR and proceed with the investigation. Thereafter, the first respondent registered an FIR in Crime No.27 of 2024 for the offences under Sections 465 and 468 of IPC as against the fourth respondent herein and proceeded with the investigation.

3. Pursuant to the registration of the FIR, the fourth respondent filed for anticipatory bail in Crl.O.P.No.5168 of 2024 and the same was dismissed by this Court by an order dated 03.04.2024. Even then the first respondent did not



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take any steps to secure the accused for a proper investigation. In respect of the allegations made in the complaint, as directed by this Court, an Arbitrator was appointed. The learned Arbitrator, by an award dated 31.12.2024, dismissed the claim petition and observed that the cinema distribution agreement relied upon by the fourth respondent was a fabricated document by forging the signature of the petitioner. Now, the first respondent, without even proceeding with the investigation, keeping the FIR pending. That apart, the complaint lodged by the fourth respondent as against the petitioner in CrI.M.P.No.17288 of 2024 on the file of the Metropolitan Magistrate for exclusive trial of CCB cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai, was ordered to register an FIR. Aggrieved by the same, the petitioner filed a revision petition before this Court in CrI.R.C.No.1422 of 2024. This Court, by an order dated 31.01.2025, allowed the revision and set aside the order passed by the learned Metropolitan Magistrate in CrI.M.P.No.17288 of 2024. Thus, it is clear that the first respondent colluded with the fourth respondent and did not take any steps to proceed with the investigation.

4. In view of the above, this Court is inclined to transfer the investigation in Crime No.27 of 2024 from the file of the first respondent to the file of the third respondent. Accordingly, the entire case file in Crime No.27 of



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2024 is hereby withdrawn from the file of the first respondent and transferred

the same to the third respondent for proper investigation.

5. With the above direction, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Internet: Yes/No

To

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2. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai – 600 007.

3. The Joint Director,
Central Bureau of Investigation,
Haddows Road,
Chennai – 6.

3. The Public Prosecutor,
High Court of Madras, Chennai.

G.K.ILANTHIRAIYAN,J.

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